



Date: December 14, 2017

To: Home and Community-based Services Program Providers
Local Intellectual/Developmental Disability Authorities
Texas Home Living Program Providers

Subject: Information Letter No. 17-28 – Service Limit Exceptions in the HCS and TxHmL Programs for Adaptive Aids and Minor Home Modifications Because of Hurricane Harvey

The Health and Human Services Commission (HHSC) is allowing an exception to the service limits for adaptive aids and minor home modifications for certain individuals enrolled in the Home and Community-based Services (HCS) or Texas Home Living (TxHmL) Program. Specifically, individuals whose permanent residence on August 25, 2017 was in a county declared a federal disaster area because of Hurricane Harvey may replace or repair an adaptive aid or minor home modification that results in the service limit being exceeded if the requirements described in this letter are met.

The service limit for adaptive aids in the HCS and TxHmL programs is \$10,000 per individual plan of care (IPC) year. The service limit for minor home modifications in the HCS and TxHmL Programs is \$7,500 during the time the individual is enrolled in the program.

The Texas counties declared a federal disaster area are: Aransas, Austin, Bastrop, Bee, Brazoria, Calhoun, Chambers, Colorado, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Hardin, Harris, Jackson, Jasper, Jefferson, Karnes, Kleberg, Lavaca, Lee, Liberty, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Refugio, Sabine, San Jacinto, San Patricio, Tyler, Victoria, Walker, Waller, and Wharton.

REPAIR OR REPLACEMENT OF AN ADAPTIVE AID FOR AN AMOUNT EXCEEDING THE SERVICE LIMIT

To have an adaptive aid repaired or replaced for an amount exceeding the service limit, the following requirements must be met.

1. The individual's permanent residence on August 25, 2017, must have been in a county declared a federal disaster area. The individual may be temporarily living in a different county because of Hurricane Harvey.
2. The adaptive aid to be repaired must have been partially damaged as a result of Hurricane Harvey.
3. The adaptive aid to be replaced must have been lost or irreparably damaged as a result of Hurricane Harvey.

4. The program provider must attempt to repair or replace the adaptive aid through third party resources, including the individual's managed care organization (MCO).
5. If payment is denied by the MCO or other third party, the HCS program provider or TxHmL service coordinator must include the repair or replacement of the adaptive aid on the individual's electronic IPC.
6. The program provider in the HCS Program or the service coordinator in the TxHmL Program must¹ submit a written statement along with one bid to HHSC that includes:
 - o for repair of an adaptive aid:
 - the type of adaptive aid that was partially damaged, a description of the item and a description of the repairs needed (catalogue, website or pictures of the item can be used for the description);
 - total cost of the repair;
 - name, address and telephone number of the vendor (not a relative of the individual); and
 - documentation supporting all non-waiver resources have been explored.
 - o for replacement of an adaptive aid:
 - the type of adaptive aid that was lost or irreparably damaged and a description of the adaptive aid being requested to replace the lost or damaged adaptive aid (catalogue, website or pictures of the item can be used for the description);
 - total cost of replacement; and
 - name, address and telephone number of the vendor (not a relative of the individual).
7. The total cost of all requested repair and replacement of adaptive aids must not result in the service limit for adaptive aids being exceeded by more than \$5000.
8. The total cost of all requested repair and replacement of adaptive aids must not result in the individual's IPC cost limit for HCS or TxHmL program services being exceeded.
9. The program provider in the HCS Program or the service coordinator in the TxHmL Program must, by **February 28, 2018**, include the repair or replacement of the adaptive aid on the IPC and submit the written statement and bid.
10. The request for the repair or replacement of the adaptive aid must be reviewed and authorized by the HHSC Intellectual and Developmental Disability Utilization Review (IDD UR) division.

¹ Submission of an assessment by a licensed professional is not required. Also, in the TxHmL program, the program provider or consumer directed services (CDS) employer must provide the information in the written statement and bid to the service coordinator.

If a program provider has paid for the repair or replacement of an adaptive aid and the amount of the repair or replacement exceeds the service limit, the program provider will be paid for the repair or replacement if the following requirements are met.

- The repair or replacement of the adaptive aid must have been purchased after August 25, 2017, and before the date of this letter.
- The program provider in the HCS Program or the service coordinator in the TxHmL Program must follow the requirements outlined above.

REPAIR OR REPLACEMENT OF A MINOR HOME MODIFICATION FOR AN AMOUNT EXCEEDING THE SERVICE LIMIT

To have a minor home modification repaired or replaced for an amount exceeding the service limit, the following requirements must be met.

- I. The individual's permanent residence on August 25, 2017, must have been in a county declared a federal disaster area. The individual may be temporarily living in a different county because of Hurricane Harvey.
- II. The minor home modification to be repaired must have been partially damaged as a result of Hurricane Harvey.
- III. The minor home modification to be replaced must have been irreparably damaged as a result of Hurricane Harvey.
- IV. The program provider must attempt to repair or replace the minor home modification through third party resources
- V. If payment is denied third parties, the HCS program provider or TxHmL service coordinator must include the repair or replacement of the minor home modification on the individual's electronic IPC.
- VI. The program provider in the HCS Program or the service coordinator in the TxHmL Program must² submit a written statement to HHSC that includes:
 - for repair of a minor home modification:
 - the type of modification that was partially damaged, a description of the item and a description of the repairs needed (catalogue, website or pictures of the item can be used for the description);
 - total cost of the repair; and
 - name, address and telephone number of the vendor (not a relative of the individual).
 - documentation supporting all non-waiver resources have been explored.
 - for replacement of a minor home modification:
 - the type of modification that was irreparably damaged and a description of the modification being requested to replace the damaged modification

² Submission of an assessment by a licensed professional is not required. Also, in the TxHmL Program, the program provider or CDS employer must provide the information in the written statement and bid to the service coordinator.

(catalogue, website or pictures of the item can be used for the description);

- total cost of replacement; and
- name, address and telephone number of the vendor (not a relative of the individual).

- VII. The total cost of all requested repair or replacement of minor home modifications must not result in the service limit of minor home modifications being exceeded by more than \$3750.
- VIII. The total cost of all requested repair or replacement of minor home modifications must not result in the individual's IPC cost limit for HCS or TxHmL program services being exceeded.
- IX. The program provider in the HCS program or the service coordinator in the TxHmL Program must, **by February 28, 2018,** include the repair or replacement of the minor home modification on the IPC and submit the written statement and bid.
- X. The request for the repair or replacement of the minor home modification must be reviewed and authorized by the HHSC IDD UR division.

If a program provider has already paid for the repair or replacement of a minor home modification and the amount of the repair or replacement exceeds the service limit, the program provider will be paid for the repair or replacement if the following requirements are met.

- The repair or replacement of the minor home modification must have been purchased after August 25, 2017, and before the date of this letter.
- The program provider in the HCS Program or the service coordinator in the TxHmL Program must follow the requirements for minor home modification repairs or replacement outlined above.

The documentation required by this letter must be kept by program providers and service coordinators in the individual's record. All requests for repair or replacement of adaptive aids and minor home modifications as described in this letter are subject to HHSC surveys and billing and payment reviews.

If you have any questions about this information letter, please call the IDD UR message line at 512-438-5055.

Sincerely,

[signature on file]

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Office of the Medical Director
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[signature on file]

Tamela Griffin
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